

# Michael Faillace & Associates, P.C.

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June 2, 2015

**Via ECF**

Hon. Gregory H. Woods  
United States District Judge  
Daniel Patrick Moynihan  
United States Courthouse  
500 Pearl Street  
New York, NY 10007

Re: Camilo, et al. v. The Tire Don Inc., et al.  
14 cv 7942 (GWH)

Your Honor:

This office represents Plaintiffs in the above-referenced matter. We write to request permission to withdraw as attorneys for Plaintiff Felix Emanuel Hiraldo (“Plaintiff Hiraldo”), pursuant to Local Civil Rule 1.4.

This request is necessary because Plaintiff Hiraldo has failed to cooperate with the prosecution of this matter over the last three weeks. Specifically, this office has been attempting to secure Mr. Hiraldo’s cooperation in the preparation of necessary default motion materials in this matter, including his testimony by affidavit. This office has attempted to reach Plaintiff by phone multiple times, however the phone number in our possession no longer appears to be active. We have attempted to seek updated contact information through other means, however we have been unsuccessful. This office has also been attempting to reach out to Mr. Hiraldo’s known contacts to instruct him to contact us concerning this urgent matter, however we have been unsuccessful.

To date, Plaintiff has not responded to update his contact information and indicate whether he intends to prosecute this action. Accordingly, we see no choice but to seek to withdraw as Plaintiff Hiraldo’s counsel in this matter. We are serving this application, in both English and Spanish, upon Plaintiff Castro’s last known home address.

We assert a charging lien on Plaintiff Hiraldo pursuant to NY Judiciary Law §475. *See Stair v. Calhoun*, 722 F. Supp. 2d 258, 267 (E.D.N.Y. 2010). We will set forth the amount and basis of the charging lien we seek to assert in a subsequent filing.

If the Court required any additional information for this application, we will provide it. We thank the court for its attention to this matter.

Respectfully Submitted,

/s/ Michael Faillace  
Michael Faillace  
MICHAEL FAILLACE & ASSOCIATES, P.C.  
Attorneys for Plaintiffs

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cc:

Emmanuel Hiraldo (Last Known Residence, By First Class Mail, in English and Spanish)  
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